

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODNEY BERNARD BARNO,

Plaintiff,

v.

ARMANDO PADILLA, et al.,

Defendants.

Case No. [20-cv-03886-SI](#) (pr)

**ORDER DENYING PLAINTIFF'S
MOTION TO VACATE**

Re: Dkt. No. 45

On January 14, 2022, the court granted Plaintiff's request for a third extension of the deadline to file his opposition to defendants' motion for summary judgment. Docket No. 40. The court set a new briefing schedule on defendants' motion for summary judgment, stating as follows: "Plaintiff must file and serve his opposition no later than February 4, 2022. Defendants must file and serve their reply, if any, no later than February 18, 2022." *Id.* at 1. On January 21, 2022, Plaintiff filed his opposition and supporting documents. Docket Nos. 42-44. He now requests that the court vacate its January 14, 2022 Order. Docket No. 45. The court DENIES plaintiff's request because defendants might have relied on the new briefing schedule.

IT IS SO ORDERED.

Dated: January 24, 2022



SUSAN ILLSTON
United States District Judge